

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN W. GORDON,

Plaintiff, : No. 1: CV 01-0331

v. : (Judge Rambo)

N. GONZALEZ, et al., : Electronically Filed

Defendants. :

PLAINTIFF'S MOTION FOR
ENLARGEMENT OF DISCOVERY DEADLINE
AND TRIAL CONTINUANCE

____AND NOW comes Plaintiff Juken W. Gordon, through David L. Glassman his attorney, to request continuance of trial for the following reasons:

1. On July 29, 2004, Plaintiff filed a Motion for Enlargement of Time to Complete Discovery – specifically, the deposition of William Reish, M.D. – due to the unavailability of Lori Cunningham, Supervisory Attorney for U.S.P. - Lewisburg (see Doc. 87).

2. On July 29, 2004, the Court granted the unopposed Motion, extended the discovery deadline to August 27, 2004, and continued trial from the October to the November 2004 trial list.

3. Between July 29 and August 22, 2004, defense counsel provided the Plaintiff with no dates convenient for Ms. Cunningham to attend a deposition.

4. On August 23, 2004, defense counsel called undersigned counsel to propose the instant continuance motion to accommodate the request of the plaintiff to depose Dr. Reish.

5. Defense counsel advised undersigned counsel that he expects his defense team to be available to attend a deposition in September 2004.

6. Plaintiff also is in the process of supplementing his responses to defense discovery requests with additional medical records recently received.

7. Defense counsel requested undersigned counsel to include a request for enlarge the entire case management schedule so as to continuance trial until the February 2005 Trial List due to the busy litigation docket of defense counsel until that time.

WHEREFORE, plaintiff Juken W. Gordon requests that the Court enlarge the discovery and case management deadlines and continue the trial in this matter from the November 2004 Trial List to the February 2005 Trial List.

Respectfully Submitted,
s/David L. Glassman, Staff Attorney
Lewisburg Prison Project, Inc.
P.O. Box 128
Lewisburg, PA 17837
Phone: (570)523-1104
Fax: (570)523-3944
Email: david_glassman@hotmail.com
PA ID #51200
Attorney for Plaintiff Juken W. Gordon

Date: August 24, 2004

CERTIFICATE OF SERVICE

____ I certify that I served today the foregoing "Plaintiff's Motion for Enlargement of Discovery Deadline and Trial Continuance" upon the following individuals and in the following manner:

VIA ECF EMAIL NOTICE

____ Michael J. Butler, Assistant U.S. Attorney
U.S. Attorney's Office
Harrisburg, PA
Email: Michael.J.Butler@usdoj.gov

s/David L. Glassman, Staff Attorney
Lewisburg Prison Project, Inc.
P.O. Box 128
Lewisburg, PA 17837

Date: August 24, 2004